



WASHINGTON STATE DEPARTMENT OF
Natural Resources
Peter Goldmark - Commissioner of Public Lands

Application for Use of State-owned Aquatic Lands

Applicant Name:	Nooksack Salmon Enhancement Association
County:	Whatcom
Water Body:	North Fork Nooksack River
Type of Authorization:	Right of Entry
Authorization Number:	in process
Term:	July 15, 2009 - July 14, 2014
Description:	DNR is considering issuing an authorization for the improvement of 8 existing log jams in the North Fork Nooksack River for salmon habitat enhancement.

**2009**US Army Corps
of Engineers
Seattle District

AGENCY USE ONLY

WASHINGTON STATE

Joint Aquatic Resources Permit Application (JARPA) Form [\[help\]](#)

Date received: _____

Agency reference #: _____

Tax Parcel #(s): _____

USE BLACK OR BLUE INK TO ENTER ANSWERS IN WHITE SPACES BELOW.

Part 1—Project Identification

Unique project information that makes it easy to identify. [\[help\]](#)**1a. Unique Project Identifier Number (UPI #) [\[help\]](#)**

- Don't have one yet? Get one at <http://www.epermitting.wa.gov> or call the Washington Governor's Office of Regulatory Assistance at (800) 917-0043.

515939-09-01

1b. Project Name (Examples: Smith's Dock or Seabrook Lane Development) [\[help\]](#)

North Fork Nooksack LWD Placement Project

Part 2—Applicant

The person or organization legally responsible for the project. [\[help\]](#)**2a. Name (Last, First, Middle) and Organization (if applicable)**

Nooksack Salmon Enhancement Association

2b. Mailing Address (Street or PO Box)

2445 E Bakerview Rd

2c. City, State, Zip

Bellingham, WA 98226

2d. Phone (1)

(360)715-0283

2e. Phone (2)

(360)319-9611

2f. Fax

(360)715-0282

2g. E-mail

dgray@n-sea.org

Part 3—Authorized Agent or Contact

Person authorized to represent the applicant about the project. (Note: Authorized agent(s) must sign 11b. of this application.) [\[help\]](#)**3a. Name (Last, First, Middle) and Organization (if applicable)**

Gray, Darrell Nooksack Salmon Enhancement Association Project Manager

3b. Mailing Address (Street or PO Box)

2445 E Bakerview Rd

3c. City, State, Zip

Bellingham WA 98226

3d. Phone (1)

(360)715-0283

3e. Phone (2)

(360)319-9611

3f. Fax

(360)715-0282

3g. E-mail

dgray@n-sea.org

Part 4—Property Owner(s) [\[help\]](#)

Contact information for people or organizations owning the property (ies) where the project will occur. [\[help\]](#)

- ☐ Same as applicant. (Skip to Part 5.)
- ☐ Repair or maintenance activities on existing rights-of-way or easements. (Skip to Part 5.)
- ☐ There are multiple property owners. Complete the section below and use JARPA Attachment A for each additional property owner.

4a. Name (Last, First, Middle) and Organization (if applicable)			
WDNR, NW Region Contact: Carten, Terry			
4b. Mailing Address (Street or PO Box)			
919 North Township St			
4c. City, State, Zip			
Sedro Woolley, WA 98284			
4d. Phone (1)	4e. Phone (2)	4f. Fax	4g. E-mail
(360) 854-2846	()	()	

Part 5—Project Location(s)

Identifying information about the property or properties where the project will occur. [\[help\]](#)

- ☐ There are multiple properties or project locations (e.g., linear projects). Complete the section below and use JARPA Attachment B for each additional property.

5a. Street Address (Cannot be a PO Box. If there is no address, provide other location information in 5n.) [help]			
5b. City, State, Zip (If the project is not in a city or town, provide the name of the nearest city or town.) [help]			
Deming, WA 98244			
5c. County [help]			
Whatcom			
5d. Provide the section, township, and range for the project location. [help]			
¼ Section	Section	Township	Range
NE	3	39N	5E
5e. Provide the latitude and longitude of the project location. [help]			
• Example: 47.03922 N lat. / -122.89142 W long			
48.8966 N lat. / -122.1397 W long			
5f. List the tax parcel number(s) for the project location. [help]			
• The local county assessor's office can provide this information.			
N/A			
5g. Indicate the type of ownership of the property. (Check all that apply.) [help]			
<input checked="" type="checkbox"/> State Owned Aquatic Land <input type="checkbox"/> Tribal <input type="checkbox"/> Private			
<input type="checkbox"/> Other publicly owned (federal, state, county, city, special districts like schools, ports, etc.)			

5h. Contact information for all adjoining property owners, lessees, etc. (If you need more space, use JARPA Attachment C.) [help]

Name	Mailing Address	Tax Parcel # (if known)
Bennet Woodland Farms LLC	6375 Eastwood Rd Deming WA 98244	390503452500
WDFW	600 Capital Way N Olympia WA 98501	390503355295
Whatcom Land Trust	110 Central Ave Bellingham WA 98225	390503476301
WDNR	919 North Township St Sedro Woolley, WA 98284	390503442176
Jeff Meeker and Marylyn Tefft	6373 Eastwood Rd Deming 98244	390503515528

5i. Is any part of the project area within a 100-year flood plain? [help]

☒ Yes ☐ No ☐ Don't know

5j. Briefly describe the vegetation and habitat conditions on the property. [help]

Second growth forest, predominantly Red alder and Salmonberry
Gravel bed stream, approximate gradient: 0.5%, artificially ditched and straightened

5k. Describe how the property is currently used. [help]

WDNR State Aquatic Lands

5l. Describe how the adjacent properties are currently used. [help]

Agriculture, Forestry, Hatchery

5m. Describe the structures (above and below ground) on the property, including their purpose(s). [help]

None

5n. Provide driving directions from the closest highway to the project location, and attach a map. [help]

Take Mt Baker Hwy east from I-5 approximately 16 miles, turn right on Eastwood Rd for Approximately 1200 feet

Part 6–Project Description

6a. Summarize the overall project. You can provide more detail in 6d. [help]

Augmentation of 8 existing LWD accumulations at apex end and lateral margins of channel Islands using additional LWD and pilings (see attached drawings)

6b. Indicate the project category. (Check all that apply.) [help]

☐ Commercial ☐ Residential ☐ Institutional ☐ Transportation ☐ Recreational
☐ Maintenance ☒ Environmental Enhancement

6c. Indicate the major elements of your project. (Check all that apply.) [help]

- | | | | |
|---|---|--|--|
| <input type="checkbox"/> Aquaculture | <input type="checkbox"/> Culvert | <input type="checkbox"/> Float | <input type="checkbox"/> Road |
| <input type="checkbox"/> Bank Stabilization | <input type="checkbox"/> Dam / Weir | <input type="checkbox"/> Geotechnical Survey | <input type="checkbox"/> Scientific Measurement Device |
| <input type="checkbox"/> Boat House | <input type="checkbox"/> Dike / Levee / Jetty | <input type="checkbox"/> Land Clearing | <input type="checkbox"/> Stairs |
| <input type="checkbox"/> Boat Launch | <input type="checkbox"/> Ditch | <input type="checkbox"/> Marina / Moorage | <input type="checkbox"/> Stormwater facility |
| <input type="checkbox"/> Boat Lift | <input type="checkbox"/> Dock / Pier | <input type="checkbox"/> Mining | <input type="checkbox"/> Swimming Pool |
| <input type="checkbox"/> Bridge | <input type="checkbox"/> Dredging | <input type="checkbox"/> Outfall Structure | <input type="checkbox"/> Utility Line |
| <input type="checkbox"/> Bulkhead | <input type="checkbox"/> Fence | <input type="checkbox"/> Piling | |
| <input type="checkbox"/> Buoy | <input type="checkbox"/> Ferry Terminal | <input type="checkbox"/> Retaining Wall (upland) | |
| <input type="checkbox"/> Channel Modification | <input type="checkbox"/> Fishway | | |

☒ Other: LWD Placement**6d. Describe how you plan to construct each project element checked in 6c. Include specific construction methods and equipment to be used. [help]**

- Identify where each element will occur in relation to the nearest waterbody.
- Indicate which activities are within the 100-year flood plain.

8 existing LWD accumulations located at the apex end and lateral margins of 2 North Fork Nooksack Channel Islands located near Kendall Washington will be augmented by adding several additional key LWD pieces and anchoring them using pilings (see drawings) The key pieces will be flown to the project sites from an adjacent staging area on the river using a helicopter. 2 excavators, one with a clamshell bucket and one with a hoe pack (vibrator) will then travel onto the Islands for final placement of key pieces and pilings. The LWD will most likely be delivered to the project sites early in summer 2009 to share helicopter ferrying costs with other groups implementing projects at that time. Excavator work will take place in late summer 2009 when the side channels are dry or receiving minimal flow. The excavators will only cross the side channel once during access and egress and all construction will take place in the dry. The LWD structures are located within the 100 year flood plain but due to the width of the active flood plain at the project site are not expected to increase net flood water elevations in the project reach. The purpose of structures is to enhance LWD accumulation and longevity at these locations and deformity over time is acceptable.

6e. What are the start and end dates for project construction? (month/year) [help]

- If the project will be constructed in phases or stages, use JARPA Attachment D to list the start and end dates of each phase or stage.

Start date: 7/1/09

End date: 9/15/09

☐ See JARPA Attachment D**6f. Describe the purpose of the work and why you want or need to perform it. [help]**

The purpose of the project is to enhance the development and longevity of the existing channel islands and associated side channels in order to improve salmonid spawning and rearing habitat.

6g. Fair market value of the project, including materials, labor, machine rentals, etc. [help]

\$250,000

6h. Will any portion of the project receive federal funding? [help]

- If yes, list each agency providing funds.

☐ Yes ☒ No ☐ Don't know

Part 7–Wetlands: Impacts and Mitigation

- ☐ Check here if there are wetlands or wetland buffers on or adjacent to the project area.
(If there are none, skip to Part 8.)

7a. Describe how the project has been designed to avoid and minimize adverse impacts to wetlands. [\[help\]](#)

☐ Not applicable

7b. Will the project impact wetlands? [\[help\]](#)

☐ Yes ☐ No ☐ Don't know

7c. Will the project impact wetland buffers? [\[help\]](#)

☐ Yes ☐ No ☐ Don't know

7d. Has a wetland delineation report been prepared? [\[help\]](#)

- If yes, submit the report, including data sheets, with the JARPA package.

☐ Yes ☐ No

7e. Have the wetlands been rated using the Western Washington or Eastern Washington Wetland Rating System? [\[help\]](#)

- If yes, submit the wetland rating forms and figures with the JARPA package.

☐ Yes ☐ No ☐ Don't know

7f. Have you prepared a mitigation plan to compensate for any adverse impacts to wetlands? [\[help\]](#)

- If yes, submit the plan with the JARPA package.

☐ Yes ☐ No ☐ Not applicable

7g. Use the table below to list the type and rating of each wetland that will be impacted; the extent and duration of the impact; and the type and amount of compensatory mitigation proposed. If you are submitting a compensatory mitigation plan with a similar table, you may simply state (below) where we can find this information in the mitigation plan. [\[help\]](#)

Activity causing impact (fill, drain, excavate, flood, etc.)	Wetland type and rating category ¹	Impact area (sq. ft. or acres)	Duration of impact ²	Proposed mitigation type ³	Wetland mitigation area (sq. ft. or acres)

¹ Ecology wetland category based on current Western Washington or Eastern Washington Wetland Rating System. Provide the wetland rating forms with the JARPA package.

² Indicate the time (in months or years, as appropriate) the wetland will be measurably impacted by the activity. Enter "permanent" if applicable.

³ Creation (C), Re-establishment/Rehabilitation (R), Enhancement (E), Preservation (P), Mitigation Bank/In-lieu fee (B)

Page number(s) for similar information in the mitigation plan, if available: _____

7h. For all filling activities identified in 7g, describe the source and nature of the fill material, the amount in cubic yards that will be used, and how and where it will be placed into the wetland. [\[help\]](#)

7i. For all excavating activities identified in 7g, describe the excavation method, type and amount of material in cubic yards you will remove, and where the material will be disposed. [\[help\]](#)

7j. Summarize what the compensatory mitigation plan is meant to accomplish, and describe how a watershed approach was used to design the plan. [\[help\]](#)

Part 8–Waterbodies (other than wetlands): Impacts and Mitigation

In Part 8, “waterbodies” refers to non-wetland waterbodies. (See Part 7 for information related to wetlands.) [\[help\]](#)

☒ Check here if there are waterbodies on or adjacent to the project area. (If there are none, skip to Part 9.)

8a. Describe how the project is designed to avoid and minimize adverse impacts to the aquatic environment. [\[help\]](#)

☐ Not applicable

LWD delivery to the project sites will be brief (estimated flying time is 6 hours) and have little to no aquatic impact. Excavator work will take place in late summer 2009 when the side channels are dry or receiving minimal flow (less than 12" deep and 20' wide). The excavators will only cross the side channels once during access and egress and travel on the channel Islands will be kept to a minimum. All LWD placement will take place in the dry and the excavators used will be cleaned thoroughly before construction commences.

8b. Will your project impact a waterbody or the area around a waterbody? [\[help\]](#)

☒ Yes ☐ No

8c. Summarize impact(s) to each waterbody in the table below. [\[help\]](#)

Activity causing impact (clear, dredge, fill, pile drive, etc.)	Waterbody name	Impact location ¹	Duration of impact ²	Amount of material to be placed in or removed from waterbody	Area (sq. ft. or linear ft.) of waterbody directly affected
LWD delivery	North Fork Nooksack	channel Islands	6 hours	150 LWD key pieces and pilings	1.2 acres of channel Island
LWD placement	North Fork Nooksack	channel Islands	8 days	150 LWD key pieces and pilings	1.2 acres of channel Island

¹ Indicate whether the impact will occur in or adjacent to the waterbody. If adjacent, provide the distance between the impact and the waterbody and indicate whether the impact will occur within the 100-year flood plain.

² Indicate the time (in months or years, as appropriate) the waterbody will be measurably impacted by the work. Enter “permanent” if applicable.

8d. Have you prepared a mitigation plan to compensate for the project's adverse impacts to non-wetland waterbodies? [\[help\]](#)

- If yes, submit the plan with the JARPA package.

☐ Yes ☐ No ☒ Not applicable

8e. Summarize what the compensatory mitigation plan is meant to accomplish. Describe how a watershed approach was used to design the plan.

- If you already completed 7j., you do not need to restate your answer here. [\[help\]](#)

N/A

8f. For all activities identified in 8c., describe the source and nature of the fill material, amount (in cubic yards) you will use, and how and where it will be placed into the waterbody. [\[help\]](#)

The LWD has been accumulated from local landclearing operations and stockpiled at a staging area on the river adjacent to the project sites.

LWD Key pieces will consist of 30-40' long 24"-36" diameter conifer logs with root wads

Pilings will consist of 20' long 12"-18" conifer logs sharpened at one end

8g. For all excavating or dredging activities identified in 8c., describe the method for excavating or dredging, type and amount of material you will remove, and where the material will be disposed. [\[help\]](#)

An excavator with a 360 degree rotating clamshell bucket (designed specifically for LWD placement) will place the key pieces on top of the existing LWD accumulations (see drawings). The same excavator will then dig 3-5' holes vertically into the substrate to initiate piling placement. The pilings will be held by the same machine while the excavator with the hoe pack vibrates them into place (approximately 10 -12' feet into the substrate).

Part 9—Additional Information

Any additional information you can provide helps the reviewer(s) understand your project.

9a. If you have already worked with any government agencies on this project, list them below. [help]

Agency Name	Contact Name	Phone	Most Recent Date of Contact
WDFW	Jeff Kamps	(360) 466-4345 X271	4/14/09

9b. Are any of the wetlands or waterbodies identified in Part 7 or Part 8 on the Washington Department of Ecology's 303(d) List? [help]

- If yes, list the parameter(s) below.
- If you don't know, use Washington Department of Ecology's Water Quality Assessment tools at: <http://www.ecy.wa.gov/programs/wq/303d/>.

☐ Yes ☒ No

9c. What U.S. Geological Survey Hydrological Unit Code (HUC) is the project in? [help]

- Go to <http://cfpub.epa.gov/surf/locate/index.cfm> to help identify the HUC.

17110002

9d. What Water Resource Inventory Area Number (WRIA #) is the project in? [help]

- Go to <http://www.ecy.wa.gov/services/gis/maps/wria/wria.htm> to find the WRIA #.

01-0120

9e. Will the in-water construction work comply with the State of Washington water quality standards for turbidity? [help]

- Go to <http://www.ecy.wa.gov/programs/wq/swqs/criteria.html> for the standards.

☒ Yes ☐ No ☐ Not applicable

9f. If the project is within the jurisdiction of the Shoreline Management Act, what is the local shoreline environment designation? [help]

- If you don't know, contact the local planning department.
- For more information, go to: http://www.ecy.wa.gov/programs/sea/sma/laws_rules/173-26/211_designations.html.

☐ Rural ☐ Urban ☐ Natural ☐ Aquatic ☒ Conservancy ☐ Other:

9g. What is the Washington Department of Natural Resources Water Type? [help]

- Go to http://www.dnr.wa.gov/BusinessPermits/Topics/ForestPracticesApplications/Pages/fp_watertyping.aspx for the Forest Practices Water Typing System.

☒ S ☐ F ☐ Np ☐ Ns

9h. Will this project be designed to meet the Washington Department of Ecology's most current stormwater manual? [help]

- If no, provide the name of the manual your project is designed to meet.

☒ Yes ☐ No

Name of manual:

9i. If you know what the property was used for in the past, describe below. [\[help\]](#)

Forestry

9j. Has a cultural resource (archaeological) survey been performed on the project area? [\[help\]](#)

- If **yes**, attach it to your JARPA package.

☐ Yes ☒ No

9k. Name each species listed under the federal Endangered Species Act that occurs in the vicinity of the project area or might be affected by the proposed work. [\[help\]](#)

Chinook, Steelhead

9l. Name each species or habitat on the Washington Department of Fish and Wildlife's Priority Habitats and Species List that might be affected by the proposed work. [\[help\]](#)

Chum salmon

Part 10—Identify the Permits You Are Applying For

Use the resources and checklist below to identify the permits you are applying for.

- Online Project Questionnaire at <http://apps.ecy.wa.gov/opas/>.
- Governor's Office of Regulatory Assistance at (800) 917-0043 or help@ora.wa.gov.

10a. Compliance with the State Environmental Policy Act (SEPA). (Check all that apply.) [help]

- For more information about SEPA, go to www.ecy.wa.gov/programs/sea/sepa/e-review.html.

- ☐ A copy of the SEPA determination or letter of exemption is included with this application.
- ☐ A SEPA determination is pending with _____ (lead agency). The expected decision date is _____.
- ☒ I am applying for a Fish Habitat Enhancement Exemption. (Check the box below in 10b.)
- Submit the Fish Habitat Enhancement Project form with this application. The form can be found at <http://www.epermitting.wa.gov/Portals/JarpaResourceCenter/images/default/fishenhancement.doc>
- ☐ This project is exempt (choose type of exemption below).
- ☐ Categorical Exemption. Under what section of the SEPA administrative code (WAC) is it exempt?

- ☐ Other: _____
- ☐ SEPA is pre-empted by federal law. [help]

10b. Indicate the permits you are applying for. (Check all that apply.) [help]

LOCAL GOVERNMENT

Local Government Shoreline permits:

- ☐ Substantial Development ☐ Conditional Use ☐ Variance
- ☒ Shoreline Exemption Type (explain): Fish Habitat Enhancement Exemption, Submitted on signature date

Other city/county permits:

- ☐ Floodplain Development Permit ☐ Critical Areas Ordinance

STATE GOVERNMENT

Washington Department of Fish and Wildlife:

- ☒ Hydraulic Project Approval (HPA) ☒ Fish Habitat Enhancement Exemption

Washington Department of Ecology:

- ☐ Section 401 Water Quality Certification

Washington Department of Natural Resources:

- ☒ Aquatic Resources Use Authorization

FEDERAL GOVERNMENT

United States Department of the Army permits (U.S. Army Corps of Engineers):

- ☐ Section 404 (discharges into waters of the U.S.) ☐ Section 10 (work in navigable waters)

United States Coast Guard permits:

- ☐ General Bridge Act Permit ☐ Private Aids to Navigation (for non-bridge projects)

Part 11—Authorizing Signatures

Signatures required before submitting the JARPA package.

11a. Applicant Signature (required) [\[help\]](#)

I certify that to the best of my knowledge and belief, the information provided in this application is true, complete, and accurate. I also certify that I have the authority to carry out the proposed activities, and I agree to start work only after I have received all necessary permits.

I hereby authorize the agent named in Part 3 of this application to act on my behalf in matters related to this application. _____ (initial)

By initialing here, I state that I have the authority to grant access to the property. I also give my consent to the permitting agencies entering the property where the project is located to inspect the project site or any work related to the project. _____ (initial)

Applicant 

Date 5/14/09

11b. Authorized Agent Signature [\[help\]](#)

I certify that to the best of my knowledge and belief, the information provided in this application is true, complete, and accurate. I also certify that I have the authority to carry out the proposed activities and I agree to start work only after all necessary permits have been issued.

Authorized Agent _____

Date _____

11c. Property Owner Signature (if not applicant) [\[help\]](#)

I consent to the permitting agencies entering the property where the project is located to inspect the project site or any work. These inspections shall occur at reasonable times and, if practical, with prior notice to the landowner.

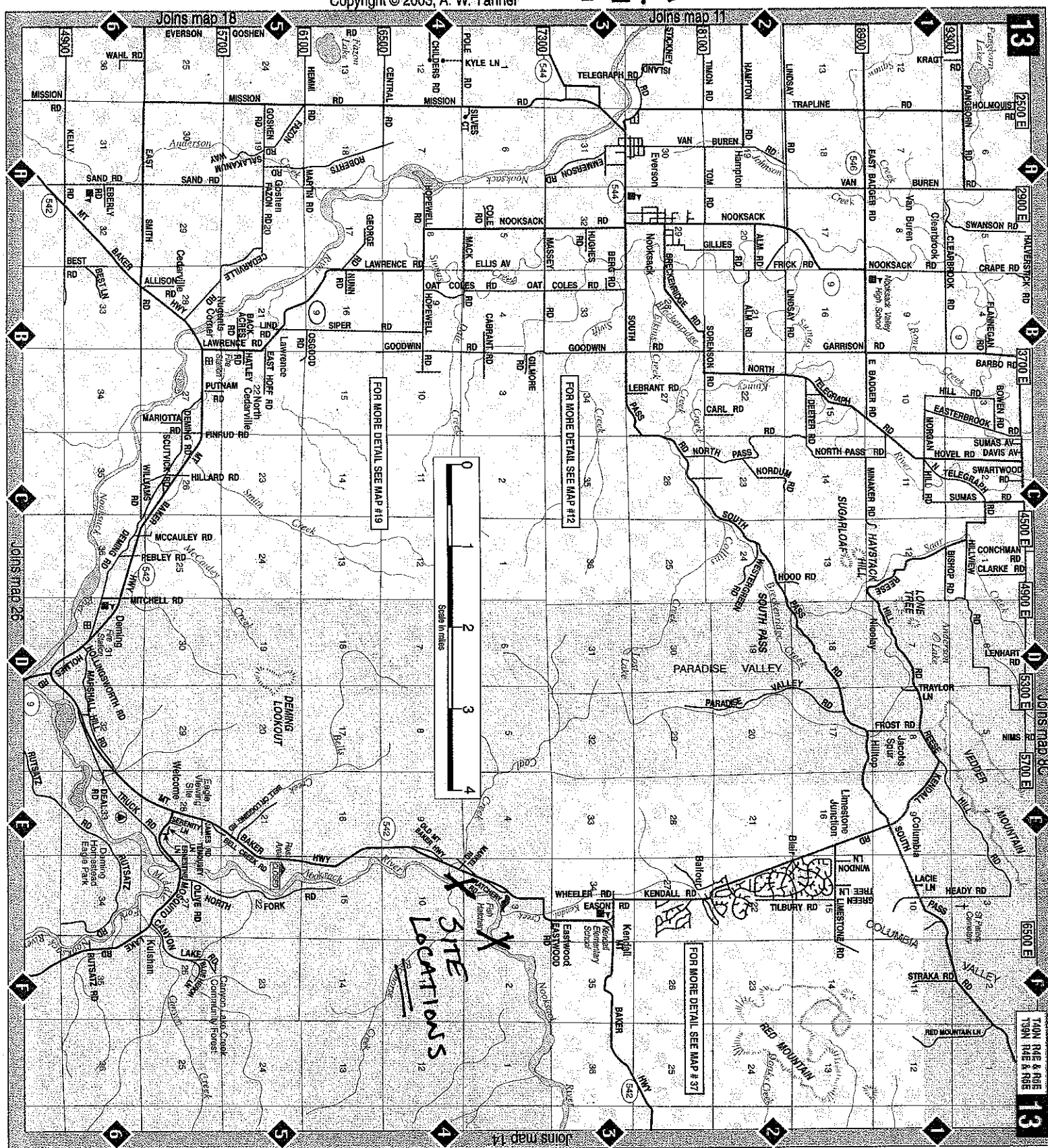
Property Owner _____

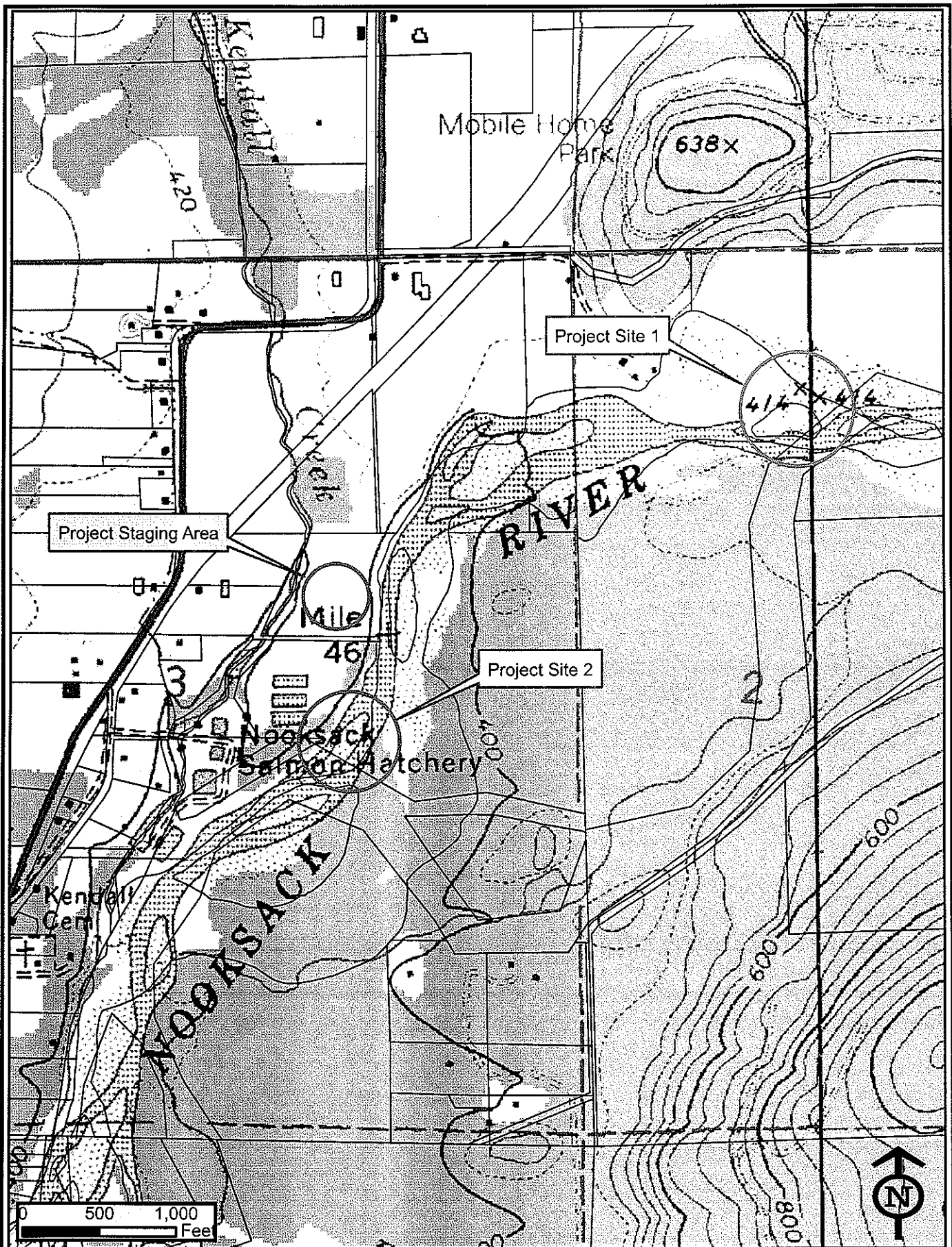
Date _____

18 U.S.C §1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years or both.

If you require this document in another format, contact The Governor's Office of Regulatory Assistance (ORA). People with hearing loss can call 711 for Washington Relay Service. People with a speech disability can call (877) 833-6341.

ORA publication number: ENV-019-09





North Fork Channel Island LWD Augmentation Project Sites